

REMARKS/ARGUMENTS

The office action of June 15, 2005 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1, 8, 16, and 22 are amended. Claims 25-27 are canceled. New claims 28-30 are added. No new matter is added.

Examiner interview

Preliminarily, applicants wish to thank the Examiner for the courtesies extended to the undersigned during the personal interview on January 26, 2006. In accordance with MPEP 713.04, the claim amendments reflect those discussed during the interview and the arguments below include the entirety of the arguments presented during the interview and possibly additional arguments.

Claim objection

Claims 25 was objected to for being a duplicate of claim 24. Claim 25 has been canceled. The objection should be withdrawn.

Rejection of claims under 35 U.S.C. § 103

Claims 1-11, 13, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephens (U.S. Patent No. 5,734,254) in view of Stobbe (U.S. Patent No. 6,275,143). This rejection is respectfully traversed.

Claim 1 as amended recites, among other things, a transmission element operatively coupled to the processor unit so as to provide the inductive energy to the power adapter and to provide inductive data communications to the power adapter based on a polling message having a header and a payload. Claim 8 as amended recites, among other things, a coil configured for

receiving inductive energy and for receiving inductive data having a header and a payload and the power supply configured to output a direct current powered by the inductive energy and relevant to the inductive data.

Stephens fails to teach or suggest a transmission element providing inductive data communications based on a polling message having a header and a payload or a coil configured for receiving inductive data having a header and a payload. Stephens also fails to teach or suggest the power supply configured to output a direct current powered by the inductive energy and relevant to the inductive data. Rather, Stephens merely discloses a battery pack 10 charged by an adapter 40 when in proximity to the adapter 40 (col. 3, lines 50-53). Stobbe fails to cure the deficiencies of Stephens because Stobbe, likewise, fails to teach or suggest these features.

To establish *prima facie* obviousness of a claimed invention, all the claim features must be taught or suggest by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Because Stephens and Stobbe, alone or in combination, fails to teach each and every element as set forth in claim 1, the rejection should be withdrawn. Because Stephens and Stobbe, alone or in combination, fails to teach or suggest claims 1 or 8, the rejection should be withdrawn.

Claims 2-7 depend from claim 1. Claims 9-11, 13, and 15 depend from claim 8. Therefore, 2-7, 9-11, 13, and 15 are allowable for at least the reasons set forth above for claim 1 or claim 8.

In addition, claim 7 recites a plurality of transmission elements responsive to a power adapter, the transmission elements being coupled to the processor unit and providing inductive energy to a power adapter. Stephens fails to teach or suggest a plurality of transmission elements coupled to the processor unit and providing inductive energy to a power adapter. Rather, Stephens merely discloses a single secondary transformer winding 32 (Col. 3, lines 34-35 and FIG. 1). The Office Action asserts that Stephens discloses elements 24, 32, and 38 as a plurality of transmission elements (see Office Action, page 6). However, element 24 of Stephens is an IR port (col. 3, line 67) and element 38 is disclosed as a device that indicates "that a battery pack is positioned for charging." See col. 3, lines 50-53. Thus, neither element 24 nor element 38 is a transmission element coupled to the processor unit and providing inductive energy to a power adapter. Therefore, the rejection of claim 7 should be withdrawn.

The Office Action asserts that claim 7 does not recite that the transmission elements are coupled to the processor unit so as to provide the inductive energy to the power adapter. Claim 7 depends from claim 1 and therefore claim 7 recites all the features of claim 1. Claim 1 recites "a transmission element operatively coupled to the processor unit so as to provide the inductive energy to the power adapter." In any event, regardless whether claim 7 recites this feature or not, Applicant's arguments in the prior amendment pertained to the failure of Stephens to teach or suggest the plurality of transmission elements as set forth again above. The Office Action fails to address this point.

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephens in view of Stobbe and further in view of Garcia (U.S. Patent No. 6,275,143). This rejection is respectfully traversed.

Claim 12 depends from claim 8. As set forth above Stephens and Stobbe, either alone or in combination, fails to teach or suggest claim 8 as amended. Garcia fails to make up for the deficits of Stephens. Neither Stephens nor Garcia, either alone or in combination teaches or suggests a coil configured for receiving an inductive data communication. Therefore, the rejection should be withdrawn.

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephens in view of Stobbe, and further in view of Higuchi (U.S. Pat. No. 6,163,132). This rejection is respectfully traversed.

Claim 14 depends from claim 8. As set forth above Stephens and Stobbe, either alone or in combination, fails to teach or suggest claim 8 as amended. Higuchi fails to make up for the deficits of Stephens. Neither Stephens, Stobbes, nor Higuchi, either alone or in combination teaches or suggests a coil configured for receiving an inductive data communication. Therefore, the rejection should be withdrawn.

Claims 16, 17, 19, 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garcia (U.S. Patent No. 5,963,012) in view of Stobbe. It is believed there is a typographical error in the Office Action which states that claims 16, 17, 19, 22, and 23 were are rejected under 35 U.S.C. 102(b) as being anticipated over Garcia in view of Stobbe. This rejection is respectfully traversed.

Claims 16 and 22 recite, among other things, a polling message including a data structure having a header and a payload. Garcia fails to teach or suggest a polling message. The Office Action cites Garcia at col. 2, lines 47-59 as providing a polling message. On the contrary, Garcia merely discloses a sensor reading battery cell parameters and transferring the battery parameter information to an external source. There is no teaching or suggestion of a polling message as recited. Garcia merely discloses at col. 2, lines 30-59:

“electromagnetic resonant wave created by the coils established a mutual induction and a data transfer between the charger and the battery pack, which including energizing and de-energizing of a transmission element in the source (204) at a predetermined elapsed time value, for certain period of time is starts signal transmission when the electro magnetic waves are generated by the excitation circuits, and stops for certain period of times when the two circuits are not in close distance.” See Office Action, page 8.

Based on the above, the Office Action erroneously concludes that Garcia provides a polling message. Applicants disagree with the Office Action’s contention. However, merely to expedite prosecution, claims 16 and 22, as amended, recite that the polling message includes a data structure having a header and a payload. The “electromagnetic resonant wave,” based on the Office Action’s assertion reproduced above merely “established a mutual induction and a data transfer between the charger and the battery pack.” The Office Action does not contend that the “electromagnetic resonant wave” includes a data structure having a header and a payload. Indeed, it does not.

It is respectfully submitted that the rejection should be withdrawn.

Claims 17 and 19 depend from claim 16 and claim 23 depends from claim 22 and are allowable for at least the reasons set forth above for claim 16 and/or claim 22.

Claims 18, 24, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garcia in view of Stobbe. These rejections are respectfully traversed.

Claims 18 depends from claim 16. Claims 24 and 25 depend from 22. As set forth above Garcia fails to teach or suggest claim 16 or claim 22. Stobbe fails to make up for the deficits of Garcia. Neither Garcia nor Stobbe, either alone or in combination, teaches or suggests a polling message including a data structure having a header and a payload. Therefore, the rejection should be withdrawn.

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Garcia in view of Stobbe and further in view of Parks (U.S. Patent no. 5,455,466). This rejection is respectfully traversed.

Claim 19 depends from claim 16. As set forth above Garcia and Stobbe, either alone or in combination, fails to teach or suggest claim 16. Parks fails to make up for the deficits of Garcia and Stobbe. Neither Garcia, Stobbe, nor Parks, either alone or in combination, teaches or suggests a polling message including a data structure having a header and a payload. Therefore, the rejection should be withdrawn.

Claims 20 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garcia in view of Stobbe and further in view of Higuchi (U.S. Pat. No. 6,163,132). This rejection is respectfully traversed.

Claims 20 and 21 depend from claim 16. As set forth above Garcia and Stobbe, either alone or in combination, fails to teach or suggest claim 16. Higuchi fails to make up for the deficits of Garcia and Stobbe. Neither Garcia, Stobbe, nor Higuchi, either alone or in combination, teaches or suggests a polling message including a data structure having a header and a payload. Therefore, the rejection should be withdrawn.

New claims 28-30 are believed to be allowable over the cited references.

Appln. No.: 10/733,850
Amendment dated February 1, 2006
Reply to Office Action of December 16, 2005

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

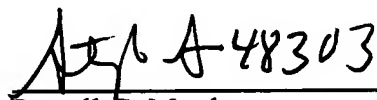
All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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